



U.S. MERIT SYSTEMS PROTECTION BOARD

Case Report for June 16, 2023

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COURT DECISIONS

NONPRECEDENTIAL:

Apaig v. Office of Personnel Management, No. [2022-2270](#) (Fed. Cir. Sept. 7, 2023) (MSPB Docket No. SF-0831-16-0465-I-1). The Court affirmed the Board's decision finding the petitioner ineligible for deferred retirement benefits under the Civil Service Retirement System, finding that, to qualify for a CSRS annuity, an employee must have served, inter alia, one of his last two years in a covered service position, and that the petitioner never held a covered service position under the Civil Service Retirement Act.

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